

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

INSURANCE COMPANY OF THE }
WEST, }
Plaintiff, } CIVIL ACTION NO.
v. } 09-AR-1235-S
KENT CONSTRUCTION COMPANY, }
LLC, et al., }
Defendants. }

MEMORANDUM OPINION

On November 15, 2010, this court entered an order granting defendant, Kent Construction Company, LLC ("Kent Construction"), **until 4:30 p.m., December 3, 2010**, to reply to the motion for summary judgment on the only remaining issue, damages, filed by plaintiff, Insurance Company of the West. Kent Construction has not filed any response to said motion for final summary judgment and has not attempted in any way to contradict the computation of the damages set forth in the affidavit that accompanied plaintiff's motion. Accordingly, the motion for summary judgment is due to be granted. It will be granted by separate order.

DONE this 10th day of December, 2010.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE